

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES CARL KELLY,

Plaintiff,

v.

R. CROSS, et al.,

Defendants.

No. 2:23-cv-1422 AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. However, although plaintiff's application to proceed in forma pauperis is accompanied by a copy of his inmate trust account statement, it is not a *certified* copy. See 28 U.S.C. § 1915(a)(2). Furthermore, the application to proceed in forma pauperis is not on the form used by this district, which allows the court to obtain plaintiff's trust account statement directly from the prison. Plaintiff will therefore be provided the opportunity to submit either a *certified* copy of his trust account statement in support of his application *or* a new application on the form provided by the court so that the court may obtain his trust account statement from the prison.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Within thirty days from the service of this order, plaintiff shall submit either a certified copy of his trust account statement in support of his application to proceed in forma pauperis or a new application on the form provided by the Clerk of Court. Failure to comply with this order

1 will result in a recommendation that this action be dismissed.

2 2. The Clerk of the Court is directed to send plaintiff a new Application to Proceed In
3 Forma Pauperis By a Prisoner.

4 DATED: October 11, 2023

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6 ALLISON CLAIRE
7 UNITED STATES MAGISTRATE JUDGE

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